IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 20TH FEBRUARY 2007 / 1ST PHALGUNA 1928

WP(C).No. 30 of 2006(C)

PETITIONER:

MADAVANA BALAKRISHNA PILLAI,
HONORARY PROFESSOR AND DIRECTOR,
SCHOOL OF COMMUNICATION & INFORMATION SCIENCES,
M.G. UNIVERSITY, MANNANAM, KOTTAYAM.

BY ADV. SRI.K.R.B.KAIMAL,
SRI.B.UNNIKRISHNA KAIMAL.

RESPONDENTS:
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1. **THE KERALA LOK AYUKTA,**
   LEGISLATIVE COMPLEX, THIRUVANANTHAPURAM.

2. **THE MAHATMA GANDHI UNIVERSITY,**
   REPRESENTED BY ITS REGISTRAR,PRIYADARSHINI HILLS,
   ATHIRAMPUZHA, KOTTAYAM.

BY ADV. SRI.V.A.MUHAMMED, SC, M.G.UNIVERSITY FOR R2.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 20/02/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.30/2006:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE LETTER NO. SSF I-1/2/1393/95 DTD. 23/08/95 OF THE R.2. TO THE PETITIONER.

EXT.P.2: COPY OF THE ORDER NO. U.O. NO. SF.I/1/2/SCIS/1393/96 DTD. 29/02/1996 ISSUED BY THE R.2.

EXT.P.3: COPY OF THE ORDER, U.O. NO. SF.I/3/SCIS/1393/95-96 DTD. 16/08/1996 ISSUED BY THE R.2.

EXT.P.4: COPY OF THE ORDER NO. SF.1/97-98 DTD. 16/06/1998 ISSUED BY THE R.2.

EXT.P.5: COPY OF THE JUDGMENT OF THIS HON'BLE COURT IN W.A. NO. 2601/98 DTD. 21/12/98.

EXT.P.6: COPY OF THE ORDER NO. SF.I/3/SCIS/5527/01 DTD. 05/04/2001 ISSUED BY THE R.2.

EXT.P.7: COPY OF THE ORDER NO. SF.1/3/SCIS/5527/01 DTD. 26/03/2002 ISSUED BY THE R.2.

EXT.P.8: COPY OF THE REPESENTATION SUBMITTED BY THE PETITIONER TO THE VICE CHANCELLOR, M.G. UNIVERSITY DTD. 03/04/1999.

EXT.P.9: COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER TO THE VICE CHANCELLOR, M.G. UNIVERSITY DTD. 03/03/2000.

EXT.P.10: COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER TO THE VICE CHANCELLOR, M.G. UNIVERSITY, DT. 16/01/2001.

EXT.P.11: COPY OF THE JUDGMENT OF THIS HON'BLE COURT IN O.P. NO. 33579/02 DTD. 13/11/2002.

EXT.P.12: COPY OF THE ORDER NO. 1603/3/02/SCIS/SF.I DTD. 25/06/2003 ISSUED BY THE R.2.

EXT.P.13: COPY OF THE ORDER DTD. 12/08/2004 ISSUED BY THE R.1. IN COMPLAINT NO. 939/04.

EXT.P.13.A: COPY OF THE ANONYMOUS COMPLAINT ANNEXED TO EXT.P.13.

EXT.P.14: COPY OF THE ORDER DTD. 23/06/2004 OF THE IST RESPONDENT IN COMPLAINT NO. 939/04.

W.P.(C). NO.30/2006:

EXT.P.15: COPY OF THE ORDER DTD. 05/10/2004 OF THE R.1. IN COMPLAINT NO.1570/04.

EXT.P.16: COPY OF THE ORDER DTD. 05/01/2005 OF THE R.1. IN COMPLAINT NO. 939/04 AND 1570/04 & OTHER COMPLAINTS.

EXT.P.17: COPY OF THE ORDER NO. 2390/3/05/SCIS/SF.I DTD. 28/07/2005 ISSUED BY THE R.2.

EXT.P.18: COPY OF THE ORDER DTD. 17/08/2005 OF THE R.1. IN COMPLAINT NO. 939/04. AND OTHER COMPLAINTS.

EXT.P.19: COPY OF THE AFFIDAVIT FILED BY THE REGISTRAR OF M.G. UNIVERSITY BEFORE THE R.1. DTD. 09/10/2005.

EXT.P.20: COPY OF THE ORDER DTD. 30/11/2005 OF THE R.1.

EXT.P.21: COPY OF THE ORDER NO. 2761/3/05/SCIS/SFI DTD. 09/12/2005 ISSUED BY THE R.2.

EXT.P.22: COPY OF THE NOTE NO. 27263/3/2005/SCIS/SF DTD. 13/12/2005 ISSUED BY THE R.2.

EXT.P.23: COPY OF THE COMMON ORDER OF THE R.1. IN COMPLAINT NOS. 939/2004, 1570/04, 1649/04 AND 894/05 DTD. 27/11/2006.

//TRUE COPY//

prv.

K.M.JOSEPH, J.

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Dated this the 20th day of February, 2007

JUDGMENT

Petitioner approached this court feeling aggrieved by Exts.P15, P16, P18, P20, P21 and P22. Case of the petitioner in brief is as follows:

Petitioner was appointed as Honorary Professor of Journalism. Initial remuneration was revised to Rs.15,000/- per month. There is a writ petition against the petitioner, which was dismissed. The petitioner has represented for regularisation and to grant UGC scale. He filed Original Petition, which was disposed of by Ext.P11 judgment by directing consideration of the matter. Thereupon Ext.P12 order was issued by the second respondent enhancing the monthly remuneration to Rs.15,000/-. On the basis of paper report the first respondent Lok Ayukta registered a complaint against the grant of UGC Scheme and passed Ext. P15 order and issued P16 order with a direction that the decision taken by the University in the matter of granting UGC benefits to the petitioner shall be implemented only after obtaining

orders from the first respondent. But Ext.P17 order was passed, by which consolidated remuneration was enhanced to Rs.25,000/- per month. The order was implemented without orders from the first respondent as it was not violative of Exts.P15 and P16. But the first respondent took the view that Ext.P17 is in violation of Exts.P15 and P16. Exts.P18 and P20 orders followed. Under the threat of coercive proceedings Exts.P21 and P22 orders were issued by the University cancelling Ext.P17 and directing refund of the additional amount paid to the petitioner. Ext.P23 is produced, which shows that following the judgment of this court reported in **Ramachandran Master v. Kerala Lok Ayulta** (2006(4) K.L.T. 166) Lok Ayukta closed the petitions.

2. Heard Standing Counsel also.

In the light of the judgment of this court reported in **Ramachandran Master's Case** (2006(4) K.L.T. 166) and Ext.P23, the order of the Lok Ayukta closing the petitions, there cannot be any impediment in the University proceeding with the grant of the benefit under Ext.P17.

The writ petition is disposed of quashing Exts.P21 and P22 and

the University is directed to take further proceedings pursuant to Ext.P17.

(K.M. JOSEPH, JUDGE)

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K.M.JOSEPH, JJ.

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W.A. No. OF

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JUDGMENT

Dated this the day of February, 2006.